

SECRET

Approved For Release 2001/08/23 : CIA-RDP57-00384R000100140026-0

OGC Has Reviewed

ONE

TOPIC - Transportation of Household Effects

25X1A

25X1A 6047-CWUFG dated 25 July 1952 states that Household Goods or Personal Effects by sea are to be shipped to [REDACTED] c/o (Storage or Packing Firm selected by employee) Washington, D. C. However, it also states that air freight is to be addressed to [REDACTED] c/o (Employee's name, Street address, City and State.) Further, it indicates that air freight is allowable only when employee is traveling by air.

25X1A [REDACTED] dated 25 February 1953 states that "when an employee is issued a travel authorization in connection with his reassignment in the ZI, resignation, retirement, or other separation from the Agency, the return shipment must be consigned as follows: 25X1A

25X1A

25X1A [REDACTED] dated 11 March 1953 queries this determination insofar as it applies to "Reassignment to ZI - Washington." 25X1A

25X1A [REDACTED] dated 6 April 1953 advises that [REDACTED] is correct. If [REDACTED] is correct, an employee transferring PCS to Washington, and living in California could ship his effects to California at Government expense.

DISCUSSION

25X1A The difficulty in the various exchanges of cables appears to arise from the employee's benefits upon being returned home after being reassigned to the ZI. Cable [REDACTED] appears to indicate an election on the part of the employee on being reassigned to the ZI. [REDACTED] questions the propriety of this instruction insofar as it applies to such reassignments. Obviously, the only occasions on which an employee's household goods and effects will be consigned to his ultimate place of residence are resignations, retirements, or separations. The Comptroller, [REDACTED], has expressed the opinion that the matter has not been resolved. 25X1A

ACTION INDICATED

A simple statement to the effect that the employee has no election in cases of reassignment to the ZI will suffice.

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TWO

TOPIC - Travel Data Sheets

25X1A

[REDACTED] advised that effective 1 February 1953 all travel vouchers for [REDACTED] Personnel (including ZI Travel) would be computed and paid in [REDACTED]. The Directive stated that "Travel Data Sheets" would be forwarded to [REDACTED] for each traveler departing Washington after 1 February 1953. Although approximately thirty individuals have arrived from Headquarters between 1 February 1953 and 16 April 1953, no "Travel Data Sheets" have been received.

DISCUSSION

25X1A The problem raised by this topic is apparent. Computations and payment in [REDACTED] must, at the present time, be accomplished via discussions and documentation other than Travel Data Sheets.

ACTION INDICATED

Forwarding of Travel Data Sheets by administrative activity concerned.

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SECURITY INFORMATION

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SECURITY INFORMATION

THREE

TOPIC - Military Three Year Tour

DIR 43271 advises that Home Leave for Military personnel is not authorized. Agency overseas tour is two years, and Army assignments to Agency are for three years. If Military personnel agree to extend for additional year with Agency, may they be returned to ZI PCS at end of Agency overseas tour with the understanding that they will be subsequently returned to the Field PCS for a second overseas tour after taking leave in the ZI?

DISCUSSION

25X1A

[REDACTED] and other military details were quite interested in the overlap periods between Agency tours and military tours. Apparently, there is some misunderstanding with respect to the relationship of these tours as there was in the areas of separation and home leave benefits. It would seem essential that any misunderstanding in relation to military details be reduced to a minimum in view of recent precedents.

ACTION INDICATED

This office has undertaken action to determine if any basic legal conflict exists.

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SECURITY INFORMATION

FOUR

TOPIC - Travel via Foreign Ships

25X1A Headquarters has ruled that Le Havre and Cherbourg are only direct route ports from [REDACTED] to the ZI. Headquarters has also ruled that travel must be via American Ships whenever American Ships are available. When no American Ship is available from Le Havre or Cherbourg, but an American Ship is available from Genoa, does the ruling regarding American Ships take precedence over the ruling regarding the direct route?

DISCUSSION

25X1A To date, this office has not found any evidence that Headquarters has ruled that Le Havre and Cherbourg are the only ports considered direct routes for personnel returning from [REDACTED] to the United States. This office has completed its research on this topic and also topic 7. The responses are favorable and should be coordinated as part of the general response to the [REDACTED].

25X1A

ACTION INDICATED

Coordination of response with Chief of Administration, DD/P.

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SECURITY INFORMATION

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SECURITY INFORMATION

FIVE

TOPIC - Annual Leave

The current leave regulations are considered to be very unfair to Agency personnel assigned overseas. New Agency employees arriving from Headquarters with little or no annual leave balances will not be able to take annual leave during their two year overseas tour if they are to take advantage of the Home Leave privilege. These employees will earn 26 days annual leave during their two years overseas tour, and a minimum of 22 days annual leave is required before an employee is eligible for Home Leave. It is urgently requested that Agency Leave Regulations be amended to authorize the additional 15 days Home Leave accrual.

DISCUSSION

This topic is included merely to reflect the concern of the Mission personnel with the problem on leave accrual. Obviously, there can be no solution to this problem other than through legislative action.

ACTION INDICATED

None.

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SECURITY INFORMATION

SIX

TOPIC - Reporting Income - Contract Employees

Numerous memoranda and cables have been directed to Headquarters requesting advice as to the source of income to be shown by contract employees on their tax returns. Presently this office is advising this personnel (all wives of employees) to report this income as "Public Stenographer Fees," and is further advising them that any inquiries from the Bureau of Internal Revenue should be referred to this office for transmittal to Headquarters for answer to the Bureau.

DISCUSSION

The concern expressed under this topic is credible evidence of income from sources other than the United States Government. It is my understanding that there are various "party lines" on this type income situation in which the German Mission should have some guidance.

ACTION INDICATED

Coordination with Chief of Administration, DD/P, Special Contracting Officer, Office of General Counsel (J Building).

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SECURITY INFORMATION

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SECURITY INFORMATION

SEVEN

25X1A

TOPIC - Direct Route from [REDACTED]

25X1A

Why can't Genoa, Rotterdam, and Bremerhaven be considered direct routes from [REDACTED] to ZI. Le Havre and Cherbourg are the only ports now considered direct routes by Headquarters.

DISCUSSION

As indicated in Topic No. 4, the response to these questions insofar as legal research is concerned has been favorable. Basically, a rule of reason governs in determining whether a given route of travel is the most direct route. Factors such as geographical location of the individual stationed in [REDACTED] the reason for return, and time, are to be considered. 31 Comp. Gen. 351 is helpful in this case.

25X1A

ACTION INDICATED

Coordination with Chief of Administration, DD/P, Office of Logistics, (Travel), Office of General Counsel [REDACTED].

25X1A

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SECURITY INFORMATION

RIGHT

TOPIC - LWOP

25X1A

Is LWOP taken in [REDACTED] considered as an extension to the two years overseas tour of Agency personnel for Home Leave purposes and for overseas tour purposes? May LWOP be granted to an employee who has an annual leave credit?

DISCUSSION

I understand that both of the questions raised under this topic have been coordinated through your office and responses thereto have been forwarded to the field. The responses to both questions under this topic are in the affirmative.

ACTION INDICATED

25X1A

Chief of Administration, DD/P, Personnel Director, Office of General Counsel [REDACTED]

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WINE

TOPIC - Operational Entertainment

AFR No. 30-5, Para 4B2 is interpreted to apply only to those cases of operational entertainment where only U. S. Government officials are present. It is further interpreted that the Headquarters approval requirement is an approval to be given by Headquarters at the time the Mission accounting is under review at Headquarters.

DISCUSSION

25X1A

The Comptroller, [REDACTED] has expressed the opinion that the cited field regulation is ambiguous. What he is seeking under this topic is confirmation of his interpretation. This matter has been related to the SA/DD/A, [REDACTED] who agrees that the regulation should be made clearer.

25X1A

ACTION INDICATED

Coordination Chief of Administration, DD/P, SA/DD/A.

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SECURITY INFORMATION

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SECURITY INFORMATION

TEN

TOPIC - Comptroller General's Decisions

Please forward the two index books for the Comptroller General's Decisions.

DISCUSSION

25X1A

It is my understanding that the Comptroller, [REDACTED] has previously requested the Index Digests of the Published Decisions of the Comptroller General. Obviously, these digests are necessary tools in finance administration in the Government and represent a compilation of the Published Decisions of the Comptroller General covering some 25 volumes. The last Index Digest covers the period through 30 June 1946 and subsequent digests are found in the separate volumes thereafter. The Index Digests are topicalized under almost 400 divisions. They also include tables of statutes, decisions referred to in the Comptroller General Decisions or in court cases. Included, too, are current regulations of the General Accounting Office and other Government procedures. Without these two volumes, it becomes necessary to do a research job with each volume without any assurance of protection against deviations from the general outline in subsequent volumes. These two Index Digests, therefore, will facilitate research for precedents.

ACTION INDICATED

Chief of Administration, DD/P.

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SECURITY INFORMATION

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SECURITY INFORMATION

25X1A

ELEVEN

TOPIC - Reimbursement to Army for [REDACTED] Support

Recent discussions with USAREUR Comptroller and Budget Officer revealed that effective 1 July 1953, this Agency will be expected to reimburse Army for all support received from the Army. This determination is based on Section III of P. L. 574 as set forth in Bureau of Budget Bulletin No. 53.6. In a discussion regarding the procedure to be used in effecting this reimbursement, USAREUR suggested that our Agency transfer funds to the Department of the Army in Washington for allotment to USAREUR under symbol numbers similar to those used by the Army. These funds would then be sub-allocated to the different Bases named by us, for support of our personnel at those Bases. The Symbol numbers designated would be quoted on all travel orders issued for us, houses furnished to us and any other support required by us. Systems which could be used are:

- A. Payment direct by us in cash (not through Army facilities) for all requirements.
- B. Attempt to use DA-LA-51 procedure for effecting reimbursement.
- C. Work out "Cost Factor" for support of an Agency employee in [REDACTED] on a per annum basis, and transfer to Army in Washington the necessary funds to cover the number of Agency employees to be supported in [REDACTED]. E. G., "575 employees @ \$3,000.00 each - \$1,725,000.00."

25X1A

25X1A

System A would not provide good security in that even though we were ostensibly an Army Unit, our bills are paid in a different manner. This system would also require the duplication of facilities which are presently available through the Army, i.e., [REDACTED] Labor Office, Billeting Offices, etc. System B would not provide good security but would be easy to handle from our standpoint. However, this system would prove laborious to the Army. System C. would provide best security, and would be easiest method from Agency and Army standpoint. However, probably would not be acceptable to G.A.O.

25X1A

It is requested that policy decision be reached as to procedure to be followed in order that details may be worked out with USAREUR.

DISCUSSION

It is my understanding that this matter has been coordinated by the Comptroller, CIA, with other affected administrative activities.

ACTION INDICATED

None.

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SECURITY INFORMATION

TWELVE

TOPIC - Agent Contracts

Does fact Headquarters prepares contract mean that Agent is Headquarters controlled, i.e., for payroll purposes, etc.?

DISCUSSION

The concern expressed here is one of avoiding dual payments or deviating from standards administered by Headquarters. Apparently in some instances, the German Mission does not possess the contract against which to relate payments.

ACTION INDICATED

Coordination with Chief of Administration, DD/P, Special Contracting Officer, Finance Division.

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SECURITY INFORMATION

THIRTEEN

TOPIC - Amendment of Agent Contracts

DISCUSSION

25X1A

Contracts originating in Headquarters do not provide sufficient flexibility to adjust to local problems such as quarters, travel, etc. according to the Comptroller, [REDACTED] and Case Officers. What is being sought under this topic, therefore, is an area which would recognize authority of the field to amend Headquarters contracts under certain circumstances or in certain areas.

ACTION INDICATED

Chief of Administration, DD/P, Special Contracting Officer.

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SECURITY INFORMATION

FOURTEEN

TOPIC

Topic abstracted to WE.

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FIFTEEN

TOPIC

Same as 17 A. of referenced memorandum.

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SIXTEEN

TOPIC - Utilization of Section 203 - Public Law 414 for Immigration Purposes

25X1A During the course of my trip in [REDACTED] I engaged in conversations with
25X1A [REDACTED] who requested that the following matter be brought to the
attention of interested officials. The rehabilitation of agents of proven worth
is often accomplished by settlement in countries other than the United States.
In his opinion, the consequences of such resettlement are loss of contact, dim-
25X1A inution of interest on the part of the agent, and ultimately a loss of investment
and opportunity in the event of future projects. [REDACTED] therefore requested
that Section 203(a)(1) of Public Law 414, 82nd Congress, be considered as a poss-
ible instrumentality by which such agents could be resettled in the United States
thereby assuring availability, continuity of interest, and utilization from time
25X1A to time as a result of past or contemplated assignments. The particular provision
which arouses [REDACTED] curiosity is quoted:

"(1) The first 50 per centum of the quota of each quota area for such
year, plus any portion of such quota not required for the issuance of
immigrant visas to the classes specified in paragraphs (2) and (3),
shall be made available for the issuance of immigrant visas (A) to
qualified quota immigrants whose services are determined by the At-
torney General to be needed urgently in the United States because of
the high education, technical training, specialized experience, or
exceptional ability of such immigrants and to be substantially bene-
ficial prospectively to the national economy, cultural interests, or
welfare of the United States, and (B) to qualified quota immigrants
who are the spouse or children of any immigrant described in clause
(A) if accompanying him."

25X1A

Obviously, the considerations behind [REDACTED] suggestion would not seem
to equate to the "urgent need" contemplated by the statute. However, he queried
as to the possibility of a liberal interpretation whereby agents of established
value might possibly be brought within the provisions of the aforesaid subsec-
tion. In his opinion, it would establish a source of talent, the prospective
value of which would be immeasurable to the United States.

DISCUSSION

25X1A

[REDACTED] raised the general problem of rehabilitation of agents in the
United States as a matter of policy rather than in foreign countries. The ap-
proach is to consider Section 203(A)(1) of Public Law 414, 82nd Congress, as an
instrumentality by which such persons could be resettled in the U. S. thereby
insuring availability, continuity, and establishing a fund for future opportu-
nities. This involves a problem in statutory construction, Agency policy, and
liaison ultimately between the Alien Affairs Officer and the Department of Jus-
tice.

ACTION INDICATED

Chief of Administration, DD/P, Alien Affairs Officer, Office of General
Counsel.

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SEVENTEEN

TOPIC

Covered in referenced memorandum.

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EIGHTEEN

TOPIC - Home Leave Procedure

No responses to Cable - Why?

DISCUSSION

The regulations provide that the Senior Representative shall notify Headquarters of contemplated home leave and that Headquarters shall approve the home leave travel. The approval of Headquarters is normally considered to be authority for the officer or employee to depart from his foreign post. Responses to cables from the Senior Representative apparently have not been forthcoming.

ACTION INDICATED

Chief of Administration, DD/P, Travel.

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NINETEEN

TOPIC - Temporary Lodging Allowance

Original presentation was based on coverage of staff agents and contract employees. Hence, the acquisition of Government furnished quarters via Army would serve to solve temporary lodging allowance problem. However, the present solution will not take care of agent-type personnel who, according to the Comptroller, [REDACTED] are responsible for 80% of the temporary lodging allowance problem.

25X1A

DISCUSSION

It was originally proposed to solve this problem by issuing an independent CIA regulation prescribing alternate temporary lodging allowances for those personnel exposed to the local economy. The Department of State normally is the sole prescribing authority for temporary lodging allowances and this Agency is bound to follow such allowance regulations unless the Secretary of State is not in a position to prescribe appropriate rates. Subsequent to the original consideration of this problem, the contraction of the [REDACTED] occurred and the request for remedial action was withdrawn. Recently, the Senior Representative was granted the authority to acquire transient space in lieu of granting a temporary lodging allowance to arriving personnel. This allegedly would solve the problem. According to the Comptroller, [REDACTED] non-employee types are involved in the temporary lodging allowance picture. It is stated that the acquisition of space by the [REDACTED] through the Military Establishment is conditioned by the requirement that the space so acquired be occupied by employee types. Therefore, unless the Senior Representative acquires space through his own facilities or a rate is actually prescribed by the Secretary of State or by the Director under his special authority, the temporary lodging allowance problem in the German Mission will continue to exist. The SA/DD/A, [REDACTED] has collaterally raised this question in connection with [REDACTED].

25X1A

25X1A

ACTION INDICATED

25X1A

Coordination - Chief of Administration, DD/P, SA/DD/A, [REDACTED]

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SECURITY INFORMATION
TWENTY

TOPIC - Project Development

Need for wider delegation of authority, e.g., limitation on SR for project development of \$1000.

DISCUSSION

Project development funds are limited to \$1000. It was stated at various times during my stay that the Senior Representative has need for a wider delegation of authority. For example, raising the limitation from \$1000 to \$5000.

ACTION INDICATED

Policy.

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SECURITY INFORMATION